GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Forest Department – Disciplinary proceedings initiated against Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.), earlier worked as Typist on OD basis in the O/o the CCF/APCCF, Kurnool, Kurnool Circle under Rule 20 of A.P.C.S. (CC & A) Rules, 1991 – Imposing a penalty i.e. "to recover Rs.51,360/- from his pensionary benefits such as gratuity and, if insufficient, from the leave encashment equivalent to withholding of 5% (Five percent) of pension for five (5) years", due to the non-applicability of the Pension Rules to the Charged Officer – Orders – Issued.

ENVIRONMENT, FORESTS, SCEICNE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.4 **Dated:22.01.2024**

Read the following:

1) From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.6244/2021/A&DC-3, dated 15.11.2021.
2) Memo.No.2286/Sec.IV/A2/2021, EFS&T(Sec.IV) Dept., dated 04.05.2022.
3) Further defense statement dated 15.07.2022 of Sri S. Lakshmi Narayana Reddy, Sr. Assistant, Kadapa Range, Kadapa (T) Division (formerly worked in O/o CF/APCCF, Kurnool on Od basis.
4) Memo.No.2286/Sec.IV/A2/2021, EFS&T(Sec.IV) Dept., dated 30.11.2022.
5) From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.6244/2021/A&DC-3, dated 13.07.2023.
6) Memo.No.2286/Sec.IV/A2/2021, EFS&T (Sec.IV) Dept., dated 03.10.2023.

-o0o-

ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests &HoFF, A.P. has informed that the following Article of Charge was issued to Sri S. Lakshmi Narayana Reddy, Senior Assistant, O/o the Forest Range Officer, Kadapa Range of Kadapa (T) Division, earlier worked as Typist on OD basis in the O/o the Additional Principal Chief Conservator of Forests, Kurnool in Rc.No.893/2015/M1, dated 29.10.2019, under Rule 20 of A.P.C.S. (CC & A) Rules, 1991: -

> **Article**: "That Sri S. Lakshmi Narayana Reddy, Senior Assistant, O/o Forest Range Officer, Kadapa Range of Kadapa (T) Division while working as Typist in O/o the CCF/APCCF, Kurnool on OD basis from 24.11.2014 to 17.12.2014 neglected his duties resulting in unauthorized issue of (17) Form-II permits bearing no.1466709 to 1466725 in Book no.29335".

2. The Charged Officer acknowledged the receipt of the Article of Charge on 31.10.2019 and did not submit his written defence statement within the stipulated time. The Additional PCCF., Kurnool Circle has appointed, the District Forest Officer (T), Kadapa as Inquiry Officer and Forest Range Officer, Kadapa as Presenting Officer in Proc.No.893/2015/M1 (i&ii), dated 12.02.2020 for conducting the regular enquiry. After appointment of IO & PO, the Charged Officer has submitted his written defence statement on 31.01.2020 & 26.09.2020.

(P.T.O)

3. The Inquiry Officer & the District Forest Officer (T), Kadapa has completed the enquiry and submitted the findings along with connected case record in Rc.No.562/2020/A10, dated 27.02.2021 wherein the Inquiry Officer has concluded as follows:-

> **Findings**: *"On the basis of documentary and oral evidence adduced in the case before me in view of the reasons given above, I hold that the following is my final conclusion on the Charge levelled against the Charged Officer is proved".*

4. The findings of the Inquiry Officer were communicated to the Charged Officer in Conservator of Forests, Kurnool Circle, Rc.No.893/2015/M1, dated 03.03.2021 with a request to submit his further defence statement, if any, on the inquiry report of the Inquiry Officer within (15) days from the date of receipt of the notice. The Charged Officer has acknowledged the receipt of the final notice on 07.04.2021 and submitted his further defence statement on 08.04.2021, wherein he has not submitted any new /fresh points.

5. Since the Charged Officer has retired from Government Service on attaining the age of superannuation on 31.10.2019, the Government alone are competent to finalize the disciplinary case, under Rule 9 of A.P. Revised Pension Rules, 1980.

6. After careful examination of the matter, it has been provisionally decided to impose a punishment of **"withholding of 5% (Five percent) of pension for five (5) years"** against Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.), earlier worked as Typist on OD basis in the O/o the CCF/APCCF, Kurnool.

7. In the reference 2nd cited, a Show-cause Notice has been issued to Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.), earlier worked as Typist on OD basis in the O/o the CCF/APCCF, Kurnool Circle duly indicating the quantum of punishment to be imposed i.e., "withholding of 5% (Five percent) of pension for five (5) years" directing him to submit his further defence statement, if any on the proposed punishment.

8. In the reference 3rd cited Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.) in his further defence statement, among other things, has stated that he has not received any pension and comes under Contributory pension scheme as per the provisions of G.O Ms.No.653 Finance (pension I) Department dated 22.09.2004 and he was appointed as Typist as per provisions of G.O.Ms.No.212 Finance & Planning (F.S PCIII) Dept., dated 22.04.1994 and joined as Typist in the office of the DFO, Kadapa (SF) on the F.N of 07-1-2011. Hence imposing the said punishment is against the CCA Rules 1991 and also as per Rule 9 of A.P. Revised Pension Rules 1980 and requested to take further action on humanitarian grounds in the interest of justice.

9. On examination, it has been provisionally decided to recover Rs.51,360/- from pensionary benefits such as gratuity and, if insufficient, from the leave encashment of Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.), which is equivalent to the "withholding of 5% (Five percent) of pension for five (5) years", due to non-applicability of the Pension Rules to the Charged Officer, as he comes under the Contributory Pension Scheme".

10. In the reference 6th cited, a show-cause notice has been issued to Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd), O/o the Forest Range

(Contd.P-3)

Officer, Kadapa Range of Kadapa (T) Division, earlier worked as Typist on OD basis in the O/o the Additional Principal Chief Conservator of Forests, Kurnool with the proposed punishment i.e., "to recover Rs.51,360/- from his pensionary benefits such as gratuity and, if insufficient, from the leave encashment which is equivalent to the withholding of 5% (Five percent) of pension for five (5) years", due to the non-applicability of the Pension Rules to the Charged Officer, as he comes under the Contributory Pension Scheme" for submitting his explanation.

11. The charged officer acknowledged the show-cause notice on 21.11.2023 and he did not submit any explanation to the show-cause notice.

12. After careful examination of the entire matter, the Government hereby order "to recover Rs.51,360/- from his pensionary benefits such as gratuity and, if insufficient, from the leave encashment of Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.), which is equivalent to the withholding of 5% (Five percent) of pension for five (5) years", due to the non-applicability of the Pension Rules to the Charged Officer, as he comes under the Contributory Pension Scheme".

13. The Principal Chief Conservator of Forests, A.P., Mangalagiri shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S. Lakshmi Narayana Reddy, Senior Assistant (Retd.)
(Through the Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri)
The Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri(w.e)
(Connected record file No.893/2015/M1 pages-524)

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The OSD to M (Energy, EFS&T, Mines & Geology).
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The PS to the Special Chief Secretary to Govt., EFS&T Department.
SF/ SC (Computer No.1566643)

//FORWARDED :: BY ORDER//

SECTION OFFICER